

FILED: September 5, 2024

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-4678
(4:21-cr-00065-EWH-LRL-1)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN ASKEW,

Defendant - Appellant.

O R D E R

Upon review of submissions relative to this appeal, we direct the parties to file supplemental briefs addressing the following issues:

- (1) Whether the district court committed error under *United States v. Rogers*, [961 F.3d 291](#) (4th Cir. 2020); and
- (2) Whether this court may order a limited remand for resentencing on only the at-issue conditions to remedy a *Rogers* error if the Government and the defendant agree to that remedy.

We defer ruling on the Government's motion to dismiss in part and for a limited remand pending review of the supplemental briefs. The Clerk will establish a briefing schedule by separate order.

For the Court

/s/ Nwamaka Anowi, Clerk